

REMARKS

Applicants request favorable reconsideration and withdrawal of the rejections set forth in the Office Action in view of the foregoing amendments and the following remarks.

Claims 1-5, 7, 8, and 10-13 remain pending in the application, with claim 1 being the only independent claim. Claim 1 has been amended herein. Claim 6 has been cancelled without prejudice or disclaimer of subject matter. Claims 10-13 have been newly added. Support for the amendments and new claims can be found throughout the originally-filed disclosure.

Accordingly, Applicants submit that the amendments do not include new matter.

Claims 1-4 and 6-8 are rejected in the Office Action under 35 U.S.C. § 103(a) as being unpatentable over Block et al. (U.S. Patent Application Pub. No. 2003/0055689) in view of Schiff et al. (U.S. Patent Application Pub. No. 2003/0004760). Claim 5 is rejected as being unpatentable over Block et al. and Schiff et al., and further in view of Walker et al. (U.S. Patent No. 5,897,620).

Applicants respectfully traverse the rejections. Nevertheless, without conceding the propriety of the rejections and solely to expedite prosecution, Applicants have amended independent claim 1 to clarify the distinctions between the cited references and the claimed invention. Applicants submit amended independent claim 1 is patentably distinguishable from the cited references for at least the following reasons.

The Office Action cites Block et al. as disclosing a method comprising some of the features of the claimed invention. The Office Action acknowledges, however, that Block et al. does not disclose or suggest receiving a travel booking for a travel plan from a travel counselor at a travel counselor office by a first travel channel, as is recited in independent claim 1.

In order to cure this deficiency in Block et al., the Office Action cites Schiff et al. as disclosing a system wherein a travel counselor is able to book travel for a customer using web browser programs. The Office Action concludes that it would have been obvious to one of ordinary skill in the art to receive a travel booking for a travel plan from a travel counselor at a travel counselor office by a first one of the travel channels with the motivation being to allow the intervention of a third party to facilitate booking of travel.

Applicants respectfully submit, however, that Block et al. fails to disclose presenting the travel change request to a second travel counselor, either the same as or different from the first travel counselor, and servicing the travel change request according to processing from the second travel counselor, as recited in amended claim 1.

Block et al. is directed towards a system having a website for planning itineraries such as airline reservations. Paragraph 0064-0069. Block et al. performs these functions via an automated computerized process. Paragraph 0067-0069. Block et al. also discusses a traveler changing his or her travel plans using various electronic devices and receiving a text confirmation of the modified travel plans. Paragraph 0074. Thus, Block et al. is directed solely to an entirely computerized process for modifying travel plans, and does not involve a travel counselor to process a travel change request.

In contrast, the present invention presents a travel change request to a travel counselor who processes the travel change request to service the travel change request. By incorporating multiple travel channels, the present invention provides numerous ways for a traveler to submit a travel change request to change his or her itinerary. One benefit of this feature is that virtually limitless forms of communication may be adopted between a traveler and a travel counselor for submitting a travel change request. In remote areas where Internet access, cellular telephone, and

other modern forms of communication are unavailable, a traveler may still modify his or her travel plans using more antiquated travel channels that are available in the particular area. Since the requests sent via any of the travel channels are received by the host server and passed to the second travel counselor to process, a traveler may have greater success in achieving a modified travel plan. Thus, no matter which particular travel channel a traveler may use to submit a travel change request, the travel change request is channeled and presented to the second travel counselor who can then personally process the travel change request.

The use of a travel counselor may further provide a highly personal level of service for the traveler via human assistance, as compared to the traveler attempting to navigate an impersonal and often frustrating-to-use phone menu system or complex Internet site. Using a travel counselor instead of an automated system may additionally provide for custom and personal responses in the event that a traveler's desired modification is not possible, e.g. when the desired flight is already full.

Block et al. also teaches away from presenting the travel change request to a second travel counselor, either the same as or different from the first travel counselor, and servicing the travel change request according to processing from the second travel counselor, as recited in amended claim 1. Since Block et al. discloses providing traveler input via an electronic device and receiving a text confirmation, the entire process in Block et al. is desirably automated without human intervention. Block et al. further discloses that an object of the invention disclosed therein is to enable “travelers to rapidly and interactively communicate via the Internet or other networks with desired websites or other devices for making all necessary travel arrangements for a desired trip.” Paragraph 0004 (Emphasis added). Block et al. also includes an extensive

discussion involving the use of the traveler's personal information in conjunction with aspects of the system, including security features of the system. See, pp. 14-23.

It is against these disclosures of Block et al. that the obviousness of incorporating a travel counselor into the methods of Block et al. must be evaluated. See MPEP § 2141.03 (noting that art must be considered in its entirety, including disclosures that teach away from the claims).

The Office Action asserts that a motivation for the modification of Block et al. would be to allow for the intervention of a third party to facilitate booking of travel in the reference's methods.

This, however, contradicts the idea of Block et al. of providing methods in which a traveler alone can make all necessary travel arrangements. By being able to make all the necessary travel arrangements for a trip, the traveler in the methods disclosed by Block et al. has no need for interaction with a travel agent or counselor.

Additionally, inasmuch as Block et al. teaches away from interaction with a first travel counselor, Block et al. teaches even further away from additional interaction with a second travel counselor.

Schiff et al. fails to cure the deficiency of Block et al., as it likewise fails to disclose presenting the travel change request to a second travel counselor, either the same as or different from the first travel counselor, and servicing the travel change request according to processing from the second travel counselor, as recited in amended claim 1. Even assuming, arguendo, that Schiff et al. discloses a travel counselor enabling a travel agent to book travel for a customer using web browser programs, as asserted in a Office Action, Schiff et al. is completely silent regarding using a second travel counselor to process a travel change request. Rather, Schiff et al. discloses the invention as "relat[ing] to systems and methods for on-line selling and booking of cruises." Paragraph 0042 (Emphasis added). Thus, the only interaction with a travel counselor

in Schiff et al. occurs during the initial booking of the trip. The initial booking interaction with a travel counselor is very different from an interaction for a travel change request. While the initial booking frequently occurs via personal, phone, or e-mail interaction, an interaction for a travel change request may utilize other travel channels such as web links, text messaging, kiosks, etc. Furthermore, modifying an existing itinerary may require a more personal interaction compared with the initial booking/purchase. This issue is already widespread across online commerce, where even though a purchaser may be comfortable with purchasing from an online merchant, he or she often desires the human element when trying to receive service for resolving a post-purchase issue (e.g. returning an item). Purchasers are often frustrated when an online merchant does not have a customer service phone line and merely provides a “cookie-cutter” automated and computerized process to perform post-purchase servicing requests. Thus, providing personal attention to a servicing request can be especially significant in modern commerce, providing a competitive advantage over other businesses that merely use computerized processes.

As such, Applicants respectfully submit that Schiff et al. cannot possibly teach or suggest presenting the travel change request to a second travel counselor, either the same as or different from the first travel counselor, and servicing the travel change according to processing from the second travel counselor, as recited in amended claim 1.

For at least the foregoing reasons, Applicants submit that the invention recited in independent claim 1 includes a combination of features that would not have been obvious to one of ordinary skill in the art in view, even in view of the disclosures of Block et al. and Schiff et al.

Applicants further submit that the citation to Walker et al. fails to cure the deficiencies of the other cited references. Walker et al. is cited as suggesting certain features of a dependent

claim. This reference, however, fails to suggest the features of independent claim 1 that are not suggested by Block et al. and Schiff et al., as described above.

Thus, Applicants submit that independent claim 1 is allowable over the references cited in the Office Action, whether the references are taken individually or collectively.

The dependent claims also should be deemed allowable, in their own right, for defining other patentable features of the invention in addition to those recited in independent claim 1. Further individual consideration of the dependent claims is requested.

Applicants respectfully submit that all outstanding matters in this application have been addressed and that this application is in condition for allowance. Favorable reconsideration and early passage to issue of the above application is respectfully sought.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in the Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to the below listed address.

Respectfully submitted,

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